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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

GLENROY COACHELLA, LLC

Debtor.

RICHARD A. MARSHACK, solely in his
capacity as Chapter 7 Trustee for the
bankruptcy estate of Glenroy Coachella, LLC,

Plaintiff,

vs.

FORCE-DMP, LLC, a terminated California
limited liability company; DESERT
MEDICAL PROPERTIES, INC., a
California corporation; QUONSET
PARTNERS, LLC, a California limited
liability company; SGE REALTY, INC. a
California corporation; and THE
COACHELLA LIGHTHOUSE, LLC, a
suspended California limited liability company,

Defendants.

Case No. 2:21-bk-11188-BB

Adv. No. 2:23-ap-01081-BB

Chapter 7

**ANSWER BY DEFENDANT FORCE-
DMP, LLC TO COMPLAINT AND
DEMAND FOR JURY TRIAL**

1 The defendant, Force-DMP, LLC (“Force-DMP” or “Defendant”), hereby submits its
2 answer to the Complaint filed by Richard Marshack, as Chapter 7 trustee in this adversary
3 proceeding (the “Complaint”).

4 **ANSWER**

5 **Answers to Allegations Re Statement Of Jurisdiction And Venue**

- 6 1. Force-DMP admits the allegations in paragraph 1 of the Complaint.
- 7 2. Force-DMP admits the allegations in paragraph 2 of the Complaint.
- 8 3. In response to the allegations in paragraph 3 of the Complaint, Force-DMP admits
9 this Court has jurisdiction over the claims alleged in the Complaint that are not subject Force-DMP’s
10 jury trial right. Force-DMP denies the Court has jurisdiction over any claims subject to a jury trial.
- 11 4. Force-DMP denies the allegations in paragraph 4 of the Complaint.
- 12 5. Force-DMP admits the allegations in paragraph 5 of the Complaint.
- 13 6. Force-DMP denies the allegations in paragraph 6 of the Complaint based upon a lack
14 of information or belief.

15 **Answers To Allegations re Parties**

- 16 7. Force-DMP admits the allegations in paragraph 7 of the Complaint.
- 17 8. Force-DMP denies the allegations in paragraph 8 of the Complaint based upon a lack
18 of information or belief.
- 19 9. Force-DMP admits the allegations in paragraph 9 of the Complaint.
- 20 10. Force-DMP admits the allegations in paragraph 10 of the Complaint.
- 21 11. Force-DMP admits the allegations in paragraph 11 of the Complaint.
- 22 12. Force-DMP denies the allegations in paragraph 12 of the Complaint based upon a
23 lack of information or belief.

24 **Answers to General Allegations**

- 25 13. Force-DMP admits the allegations in paragraph 13 of the Complaint.
- 26 14. Force-DMP admits the allegations in paragraph 14 of the Complaint.

1 15. Force-DMP denies the allegations in paragraph 15 of the Complaint based upon a
2 lack of information or belief.

3 16. Force-DMP denies the allegations in paragraph 16 of the Complaint based upon a
4 lack of information or belief.

5 17. Force-DMP admits the allegations in paragraph 17 of the Complaint.

6 18. Force-DMP admits the allegations in paragraph 18 of the Complaint.

7 19. Force-DMP admits the allegations in paragraph 19 of the Complaint.

8 20. Force-DMP denies the allegations in paragraph 20 of the Complaint.

9 21. Force-DMP admits the allegations in paragraph 21 of the Complaint.

10 22. Force-DMP denies the allegations in paragraph 22 of the Complaint.

11 23. Force-DMP admits the allegations in paragraph 23 of the Complaint.

12 24. Force-DMP admits the allegations in paragraph 21 of the Complaint.

13 25. Force-DMP admits the allegations in paragraph 25 of the Complaint.

14 26. Force-DMP admits the allegations in paragraph 26 of the Complaint.

15 27. Force-DMP admits the allegations in paragraph 27 of the Complaint.

16 28. Force-DMP admits the allegations in paragraph 28 of the Complaint.

17 29. Force-DMP admits the allegations in paragraph 29 of the Complaint.

18 30. Force-DMP denies the allegations in paragraph 30 of the Complaint based upon a
19 lack of information or belief.

20 31. Force-DMP denies the allegations in paragraph 31 of the Complaint based upon a
21 lack of information or belief.

22 32. Force-DMP admits the allegations in paragraph 32 of the Complaint.

23 33. Force-DMP admits the allegations in paragraph 33 of the Complaint.

24 34. Force-DMP admits the allegations in paragraph 34 of the Complaint.

25 35. Force-DMP admits the allegations in paragraph 35 of the Complaint.

26 36. Force-DMP admits the allegations in paragraph 36 of the Complaint.

Answer to Allegations re First Claim for Relief

37. Force-DMP repeats its prior answers to the re-alleged allegations in paragraph 37 of the Complaint.

38. Force-DMP admits the allegations in paragraph 38 of the Complaint.

39. Force-DMP admits the allegations in paragraph 39 of the Complaint based upon a lack of information or belief.

40. Force-DMP denies the allegations in paragraph 40 of the Complaint.

41. Force-DMP denies the allegations in paragraph 41 of the Complaint.

42. Force-DMP denies the allegations in paragraph 42 of the Complaint.

43. Force-DMP denies the allegations in paragraph 43 of the Complaint based upon a lack of information or belief.

44. Force-DMP denies the allegations in paragraph 44 of the Complaint based upon a lack of information or belief.

45. Force-DMP denies the allegations in paragraph 45 of the Complaint.

46. Force-DMP admits the allegations in paragraph 46 of the Complaint.

47. Force-DMP denies the allegations in paragraph 47 of the Complaint.

48. Force-DMP denies the allegations in paragraph 48 of the Complaint.

49. Force-DMP admits the allegations in paragraph 49 of the Complaint.

50. Force-DMP denies the allegations in paragraph 50 of the Complaint.

51. Force-DMP denies the allegations in paragraph 51 of the Complaint based upon a lack of information or belief.

52. Force-DMP denies the allegations in paragraph 52 of the Complaint.

53. Force-DMP denies the allegations in paragraph 53 of the Complaint.

Answer to Allegations re Second Claim For Relief

54. Force-DMP repeats its prior answers to the re-alleged allegations in paragraph 54 of the Complaint.

1 55. Force-DMP denies the allegations in paragraph 55 of the Complaint based upon a
2 lack of information or belief.

3 56. Force-DMP admits allegations in paragraph 56 of the Complaint.

4 57. Force-DMP denies the allegations in paragraph 57 of the Complaint.

5 58. Force-DMP denies the allegations in paragraph 58 of the Complaint.

6 59. Force-DMP denies the allegations in paragraph 59 of the Complaint.

7 60. Force-DMP denies the allegations in paragraph 60 of the Complaint.

8 61. Force-DMP denies the allegations in paragraph 61 of the Complaint.

9 62. Force-DMP denies the allegations in paragraph 62 of the Complaint.

10 **Answer to Allegations re Third Claim For Relief**

11 63. Force-DMP repeats its prior answers to the re-alleged allegations in paragraph 63 of
12 the Complaint.

13 64. Force-DMP denies the allegations in paragraph 64 of the Complaint.

14 65. Force-DMP denies the allegations in paragraph 65 of the Complaint.

15 **Answers to Allegations re Fourth Claim For Relief**

16 66. Force-DMP repeats its prior answers to the re-alleged allegations in paragraph 66 of
17 the Complaint.

18 67. Force-DMP denies the allegations in paragraph 67 of the Complaint based upon a
19 lack of information or belief.

20 68. Force-DMP denies the allegations in paragraph 68 of the Complaint.

21 69. Force-DMP denies the allegations in paragraph 69 of the Complaint.

22 **Answer to Allegations Re Sixth Claim for Relief**

23 70. Force-DMP repeats its prior answers to the re-alleged allegations in paragraph 70 of
24 the Complaint.

25 71. Force-DMP denies the allegations in paragraph 71 of the Complaint.

26 72. Force-DMP denies the allegations in paragraph 72 of the Complaint.

27 73. Force-DMP denies the allegations in paragraph 73 of the Complaint.

Prayers For Relief

Force-DMP prays that the Court deny any relief on the claims alleged in the Complaint and further prays that the Court award Force-DMP all fees and costs incurred in the defense of the same to the extent such relief can be granted under law or equity.

FORCE-DMP'S AFFIRMATIVE DEFENSES

A. The claims alleged in the Complaint fail to state a claim upon which relief can be granted.

B. The claims alleged in the Complaint are barred by laches.

C. The claims alleged in the Complaint are barred by unclean hands.

D. The claims alleged in the Complaint were waived and released.

E. The claims alleged in the Complaint are barred by estoppel.

F. The claims alleged in the Complaint are barred by the fact that reasonably equivalent consideration was exchanged for any transfers made to DMP.

DATED: March 20, 2023

OKEEFE & ASSOCIATES
LAW CORPORATION, P.C.

/s/ Sean A. O'Keefe

By: _____
Sean A. O'Keefe, counsel
to Force-DMP, LLC, defendant

REQUEST FOR A JURY TRIAL

The defendant, Force-DMP, LLC, demands a jury trial on all issues triable by a jury in the
above-entitled case.

DATED: March 20, 2023

OKEEFE & ASSOCIATES
LAW CORPORATION, P.C.

By: /s/ Sean A. O'Keefe
Sean A. O'Keefe, counsel
To Force-DMP, LLC

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 26 Executive Park, Suite 250, Irvine, CA 92614.

A true and correct copy of the foregoing document entitled: **ANSWER BY DEFENDANT FORCE-DMP, LLC TO COMPLAINT AND DEMAND FOR JURY TRIAL** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On March 20, 2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On March 20, 2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, March 20, 2023, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Hon. Sheri Bluebond
Edward R. Roybal Federal Building and Courthouse
255 E. Temple Street, Suite 1534
Los Angeles, CA 90012

☒ Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

3/20/2023

Date

Sean A. O'Keefe

Printed Name

/s/ Sean A. O'Keefe

Signature

NEF LIST

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